

April 12, 2017

VIA HAND DELIVERY AND EMAIL

Delta Independent Science Board
980 Ninth Street
Suite 1500
Sacramento, CA 95814
martina.koller@deltacouncil.ca.gov

Re: ISB Meeting April 13, 2017
Agenda Items 6 and 8

Dear Chairman Lund and Members of the Board:

I write to you on behalf of Save the California Delta Alliance, a membership organization based in Discovery Bay, California. Discovery Bay is a waterfront community in the heart of the Delta. Our membership is made up of people who live, work, and recreate in the Delta. We appreciate the opportunity to share our views and expertise with you. We are commenting today on your report on the Delta as Evolving Place and on your review of the California WaterFix Final EIR/S. It is fortuitous that you have both of these items on your agenda for the same day. Perhaps the greatest of the many failings, and they are legion, of the FEIR/S is its lack of analysis of the impacts of the project on the Delta as place, including its impacts on recreation and on Delta communities. As we discuss in more detail below, we believe that academic discourse on Delta sociology is of marginal utility. A practical and useful understanding of the Delta as place will come from listening to, and learning from, the people who live here. The need is urgent because the Delta will be utterly destroyed by construction and operation of the California WaterFix in its current configuration (Alternative 4A). We provide concrete examples below demonstrating the failure of tunnel proponents to disclose impacts on the Delta as place and the severity of those impacts.

We would suggest that finalization of the ISB's Delta as Place report is premature and that there is an urgent need for the ISB to conduct a listening tour in the Delta in order to gain an understanding of the Delta and its residents as well as an understanding of the impact of the California WaterFix on the Delta as place.

With regard to the quality of the Final EIR/S as an informational document, the ISB has repeatedly criticized the environmental documents' lack of clarity, lack of organization, and lack of informative and comprehensible graphics. The Final EIR/S purports to respond to the ISB's concerns but does so in a specious manner that actually further misleads the public and dissembles the true nature of the project under the obfuscating mass of 30,000 pages of repetitive, redundant, irrelevant chatter. We provide concrete examples below.

**I. Failure of the Final EIR/S to Respond To Comments of the ISB
Regarding the FEIR/S's Failure as an Informational Document.**

The ISB has repeatedly called for informative graphics to allow the public to comprehend the impacts of the project and the differences between alternatives. The final document contains added graphics that purport to answer the ISB's call. However, the

added graphics are designed to mislead the public and hide impacts.

Attachment 1 hereto is Figure 6-0, Comparison of Impacts on Surface Water, from the FEIS. The top half of the chart compares the difference in flood flows at Freeport and Vernalis¹ across existing conditions and the range of alternatives. The chart shows no more than a 3% difference across the range at both locations. This would lead the public to conclude that the project will have a negligible effect on surface flows. This is false and misleading.

The North Delta Intakes will divert a substantial amount of water at times *other than peak flood flows*. Attachment 2 hereto is a graphic prepared by DWR and submitted to the SWRCB as evidence in the current water rights hearings. The document can be found on the SWRCB WaterFix change petition website as DWR-5 errata, page 24 (under the heading Petitioner Department of Water Resources' Exhibits). This chart depicts application of the bypass rules as of the Draft Biological Assessment.² It shows that 9,000 cfs can be diverted at a river flow of 20,000 cfs, meaning almost 50% of the flow of the Sacramento River will be diverted.³ Moreover, the bypass rules shown on DWR-5 are *not in effect* during July and August. The only operating constraints in effect during July and August are that bypass flow at the North Delta Intakes be maintained at a minimum of 5,000 cfs and that flows at Rio Vista be maintained at a minimum of 3,000 cfs.⁴ Reductions in Sacramento River flow downstream of the intakes could be even more dramatic during low flow summer months. Indeed, tunnel proponents actually plan to meet the goal of exporting full contract amounts by exporting more water *during the summer months* (rather than diverting winter storm flows) because constraints imposed by the fish agencies (such as fall X2 and pulse flow requirements being built in to the WaterFix BiOps) do not apply during the summer.

Attachment 3 hereto is a graph of flow projections produced by DWR in response to discovery requests by parties to the CWF water rights hearings. It may be found on the SWRCB CWF water rights hearing website as SHR-352 (under the heading Other Parties' Exhibits, Snug Harbor Resorts). Please notice that the flow of Steamboat Slough drops from 2500 cfs under the no action alternative to 1500 cfs at operating scenario H3 during the month of July. This reduction in flow will have a devastating effect on Steamboat Slough, including putting Snug Harbor Resort out of business. It comes as no surprise that the resort, located about 2 miles upstream of the confluence of Steamboat Slough with the Sacramento River (heading upstream from Rio Vista), does almost all of its business in the warm and sunny summer months, when flows are low. The reduction in water levels in Steamboat Slough will leave the resort's docks high and dry and its beach unusable.

¹ The chart mislabels the measurement as "Sacramento River at Vernalis," rather than San Joaquin River at Vernalis, which perhaps stems from the lack of care and concern that went into preparation of the chart.

² The operating rules used to produce the chart can be found at table 3.3-1 on pages 3-75–80 and table 3.3-2 on pages 3-81–87 of the Draft Biological Assessment, dated January 2016 (although not a part of the WaterFix change petition application, these tables are the closest thing to a project description yet produced by DWR).

³ DWR's lawyers argue that this much water, although allowed under the bypass rules, could not be diverted because D-1641 would act as a constraint above and beyond the bypass rules. However, DWR's *witnesses* upon cross examination could not and would not state that they knew that DWR's litigating position was correct as to the effect of D-1641 on diversions. There is no evidence to show that a diversion of 9,000 cfs will not occur at a river flow stage of 20,000 cfs.

⁴ See Table 3.3.1 of the Draft Biological Assessment.

DWR's Figure 6-0 is a deliberate attempt to hide the impact of flow reductions on Delta businesses and communities. This is but one example of how charts provided to assuage the ISB's concerns actually further the dishonesty replete throughout the FEIR/S. Figure 6-0 is not a mistake or product of hasty preparation. It is a lie.

II. The Delta as Place.

As Delta residents, we very much appreciate the ISB's attention to the Delta as place. We do not believe that your academic background and training in the natural sciences disqualify you from evaluating the impact of projects on our lives and livelihoods. History provides us with examples of natural scientists delving into domains of culture and politics. No doubt Anton Chekhov's medical training in the diagnoses of afflictions of the human anatomy informed his diagnosis of the human condition.

We do suggest, however, that you have gone a bit astray in presuming tenure pieces in sociology or human ecology will prove to be of much practical use. To be sure, at a high level of abstraction the social sciences can provide useful frames of reference, a lexicon, and classificatory schemes. But they lack the tools to ferret out the effect of particular actions on specific cultural and economic resources. Mariners use the term "local knowledge" to acknowledge that no matter the skill of the skipper, the wealth of electronic navigational aids, and soundness of the vessel nothing will substitute for the company of a local boater when crossing the shoals of an unfamiliar harbor entrance. Likewise, nothing can inform Delta decision-makers in place of indigenous Deltinians. The need for local advice here (as in crossing unknown waters) is all the more acute because of the extraordinary levels of uncertainty that accompany current proposals for the Delta.

A. Loss of Marinas

For example, FEIR/S Figure M15-4, sheet 5, depicts the impacts of tunnel construction on recreational resources in the vicinity of Discovery Bay (Attachment 4 hereto). The FEIR/S concludes that there will be negligible impacts and that the only significant impact in this area will be inconvenience to, and annoyance of, users of Bullfrog Marina (located on Middle River, just downstream of Railroad Slough). Although rebarbative in influence, the construction will not impede access to the Marina or other boating resources and nautical life will continue unabated—so proclaims DWR. See FEIR/S, p. 15-73 ("use of the marina's boating facilities would not be affected by tunnel/pipeline construction activities").

The confluence of construction activities, however, will spell doom for Bullfrog Marina and boating in general in this area. DWR proposes a barge unloading facility within 2-3 miles both upstream and downstream of Bullfrog. There is a geotechnical exploration zone proposed mid-channel a few hundred yards upstream, which will block navigation. The FEIR/S discloses 11,800 barge trips to carry precast tunnel segments to construction staging areas. The tunnel muck will also be carried away from construction areas on barges. We have not yet completed our calculation of undisclosed barge trips carrying tunnel muck, but it is reasonable to estimate that it will be in excess of 20,000 trips as the mass of the muck (31,000,000 cubic yards) is significantly greater than the mass of the tunnel linings. To make 32,000 barge *trips* over the course of construction will require the deployment of several hundred barges. The entire Delta, and this are in particular, will be sweltering with barges anchored waiting to be unloaded, barges unloading tunnel segments, barges loading tunnel muck, and barges departing and arriving, for 11 years.

Bullfrog Mariana depends in large measure upon sales of fuel to boaters originating in nearby Discovery Bay. Bullfrog Marina has a distinct advantage over the fuel dock in Discovery Bay because the dock in Discovery Bay sits at the end of a long 5

mile per hour zone. Boaters avoid the half hour 5 mile per hour ride by going to Bullfrog for fuel. The 5 mile per hour barge zones surrounding Bullfrog and the platoons of barges hindering navigation in the vicinity of Bullfrog will eliminate this advantage and the Discovery Bay fuel dock will become more convenient to Discovery Bay boaters.

It is also important to understand that about half of the boat traffic in the vicinity of Discovery Bay and Bullfrog Marina is composed of trailer boats owned by people who do not live in Discovery Bay. The Discovery Bay Marina has a large “dry stack” storage facility where people who live out of area store their boats out of the water. Come the weekend, they call ahead to the harbor master who arranges to have the boat taken down off of the storage racks and launched. At the end of the day or weekend, the boat is put away back in the stacks. Likewise, many out of area boaters trailer their boats to Discovery Bay and launch them on the well-situated concrete launch ramps at the Discovery Bay Marina. On the other hand, people who live in Discovery Bay keep their boats in the water at their own docks attached to their waterfront homes.

The non-indigenous boaters can easily choose to boat somewhere else. They can dry stack at any number of California lakes; they can trailer their boat to any number of California lakes. And, given the noise, smell, vibration, barge blockades of favorite waterways, and multitude of barge-induced 5 mile per hour zones, why would they continue to come to Discovery Bay (and Bullfrog Marina) to boat when there are a multitude of other boating venues for trailer boats to choose from?

The net effect is that Bullfrog Marina will loose at least half of its business and will not survive tunnel construction.

This same scenario will repeat itself in numerous marinas throughout the Delta. The Delta will not be the same place after the loss of dozens of its wonderfully funky marinas. Pictures of several Delta Marinas that will be lost forever are attached as Attachment 6. These place-making Delta treasures cannot be replaced.

B. Loss of Legacy Communities.

The FEIR/S does not disclose significant adverse impacts on legacy communities Clarksburg, Hood, and Locke. Locke is also a designated historic district on the national register of historic places and administered by the United States Park Service. In short, from the perspective of preserving the Delta as place, tunnel proponents have chosen the absolute worst possible location for the location of the intakes.

The immediate area of construction encompassing the three intakes, forebay, and associated construction facilities described in Alternative 4A is located in the most historic, scenic, and culturally significant area of the Delta. The massive construction effort extending over many years will destroy the fragile small-towns and community identity of this special place.

The towns of Locke, Clarksburg, Hood, and Walnut Grove will be destroyed, never to regain their identity again. The FEIR/S correctly identifies the character of the northern Delta but fails to apprehend the impact that tunnel construction and operation will have on these communities. The FEIR/S states that:

The Delta Reform Act of 2009 designated a number of unincorporated Legacy communities in the Delta, including Bethel Island , Clarksburg, Courtland, Freeport, Hood, Iselton, Knightsen, Rio Vista, Locke, and Walnut Grove. These communities exemplify the Delta’s unique cultural history and contribute to the sense of the Delta as a place.

FEIR/S at p. 16-3. In addition to being a legacy community, the town of Locke is a National Historic District and “the only town in the United States built primarily by early Chinese immigrants.” Cal. Pub. Res. Code § 32301(f). According to the National Park Service, Locke is the “largest, most complete example of a rural, agricultural Chinese

American community in the United States.” A letter from the Chairman of the Locke Management Association, Russell Ooms, is attached hereto as Attachment 7. Mr. Ooms is the best position to judge the effect of the project on his sensitive community.

Locke retains its original historic buildings and wooden sidewalks. It is also still home to a thriving ethnically Chinese community. Locke, Clarksburg, Hood, and Walnut Grove are all set in a gentle, quite, rural waterscape and landscape. The setting is much as it was when Locke was built in the early twentieth century. This is all one historic, culturally significant, vernacular landscape that is interwoven with the historic towns and buildings that adorn it. These are small towns where old men and old women gather at public places; at the library; at the small restaurants and cafes; at the park bench.

The FEIR/S recognizes but vastly underestimates the negative impact that the project will have on these communities:

Construction activities associated with water conveyance facilities would be anticipated to result in changes to the rural qualities of these communities during the construction period ... particularly for those communities in proximity to water conveyance structures including Clarksburg, Hood, and Walnut Grove. Effects associated with construction activities could also result in changes to community cohesion if they were to restrict mobility, reduce opportunities for maintaining face-to-face relationships, or disrupt the functions of community organizations or community gathering places Under Alternative FA, several gathering places that lie in the vicinity of construction areas could be indirectly affected by noise and traffic associated with construction activities, including Delta High School, the Clarksburg Library, Clarksburg Community Church ... and several marinas or other recreational facilities.

FEIR/S at p. 16-279. The CEQA conclusion states that impacts will be mitigated to a level of insignificance and the NEPA conclusion states that mitigation measures would reduce adverse effects. FEIR/S 16-270–280. The mitigation and avoidance measures, however, are inadequate.

The project size in relation to the community size is too overwhelming to mitigate impacts. Intake 2 is directly across the river from Clarksburg and intake 3 is a few hundred yards downstream from intake 2. Intakes 2 and 3 effectively form one giant construction site that is ten times the size of Clarksburg. A look at Figure M3-4, sheet 1 (found in the map book at the end of Chapter 3) shows the gargantuan nature of the construction activities juxtaposed to the tiny town. Map book sheet M3-4, sheet 2 shows tiny hood almost swallowed by the construction yard that dwarfs and touches it.

Relocation of Highway 160 eastward into Hood will mean the demolition of several going businesses, including the popular bar and restaurant the Hood Supply Company, which is a community gathering place. This could be avoided with better planning.

Table 16A-7 shows that in year 3 of construction, 2,427 construction workers will be laboring on the project and a total 7,988 workers (including support and services for the construction workers) will be in place. Approximately this level of activity continues for nine years. FEIR/S at p. 16A-14–17. An impact of this duration is considered a permanent impact under CEQA. The area around the intakes is the most concentrated area of work and contains staging yards, disposal sites, and other support facilities in addition to the construction of the intakes themselves. The population of Clarksburg is approximately 1500 persons. The population of Hood is 271 persons. The population of Locke is about 60 persons. A work force that outnumbers the population by several multiples and is armed with very large pieces of construction equipment cannot be mitigated.

The mitigation measures won't work. They are cookie-cutter-cut-and-paste garble

that clearly was not thought through in any intelligent way against the real situation at hand. The noise abatement plan states that “a temporary sound barrier shall be constructed between the sensitive area and the construction related noise source.” Nine years is not temporary and the entire towns would have to have walls built around them. Likewise, there is no way to mitigate the noise *on the river* from pile driving and constant barge traffic. Activity on docks and boats will be driven away.

There is a pro-forma barge operation plan as a part of mitigation measures but barges are big and noisy and there will be a lot of them making frequent trips. The effect of barges on riverside and boating experiences cannot be mitigated to a level of insignificance. This is a permanent significant adverse environmental impact that is not disclosed. Riverside noise and congestion mitigations include “Provide Notification of Maintenance Activities in Waterways.” FEIR/S at p.3B-12. Notification of ongoing, heavy, noisy barge work will not reduce the amount of boaters who will abandon the area permanently.

DWR proposes to offer the construction site as a tourist attraction. It hopes people who have abandoned the area because they go there for peace and quiet and lack of congestion and are driven away by DWR’s destruction of all those qualities will come back to gawk at the construction sites from viewing platforms offered by DWR. FEIR/S 3B-79. This is absurd.

The whole undertaking is so large and unpleasant and of such a long duration, tourists and others who now regularly visit the area will scratch it off of their list of places to visit. Residents will move away and businesses will close. The FEIR/S recognizes the possibility of abandonment but then seems to forget it. Negative “visual or noise-related effects on residential property could lead to localized abandonment of buildings.” FEIR/S at p. 16-279. Abandonment, once begun, has a negative feedback loop. Entire communities could fold under the long strain.

The FEIR/S fails to disclose significant adverse impacts that will utterly destroy the most scenic and culturally rich part of the Delta. The lead agencies could not have picked a spot more vulnerable to destruction from large-scale construction activities than this one.

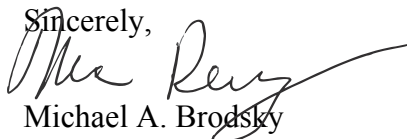
A serious analysis of impacts and exploration of *alternatives*, such as locating the intakes elsewhere, must be undertaken. The effect of construction on the adjacent communities has not been considered as a factor in siting intakes.

III. Conclusion.

The need to understand and take steps to rescue the Delta as place from the impending doom of California WaterFix is urgent.

We ask for your help. Please undertake a listening tour of the Delta so you can hear from us—the people who live and work here. Armed with local knowledge, the ISB can begin to tackle the daunting task of laying out the foundation of achieving the co-equal goals, including restoring Delta flows, while not destroying the Delta as place.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Brodsky", written over the printed name.

Michael A. Brodsky

Chapter 6 – Surface Water			Alternative																											
SW-2: Changes in Sacramento and San Joaquin River flood flows (% change in flow compared to No Action (LTI for BDCP alternatives and ELT for 4A, 2D, and 5A))	Sacramento River at Freepoint	Existing Condition	No Action	1A	1B	1C	2A	2B	2C	3	4	5	6A	6B	6C	7	8	Existing Condition	No Action	1A	1B	1C	2A							
		n/a	1%	-1%	-1%	-1%	-1%	-1%	-1%	-1%	-1%	-1%	-1%	-1%	-1%	-1%	-1%	-1%	n/a	1%	-1%	-1%	-1%	-1%						
Sacramento River at Vernalis	n/a	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA	n/a	UTS/NA	UTS/NA	UTS/NA	UTS/NA	UTS/NA							
	n/a	<1%	<1%	<1%	<1%	<1%	<1%	<1%	<1%	<1%	<1%	<1%	<1%	<1%	<1%	<1%	<1%	n/a	<1%	<1%	<1%	<1%	<1%							
SW-3: Changes in reverse flow conditions in Old and Middle Rivers (Months in which reverse flow conditions are reduced or increased)	Compared to NAA	n/a	n/a	Reduced, except in Apr, May, and Oct	Reduced, except in Apr, May, and Oct	Reduced, except in Apr, May, and Oct	Reduced, except in Apr	Reduced, except in Apr	Reduced, except in Apr	Reduced, except in Apr, May, and Oct	Reduced, except in Apr, May, and Oct	Reduced, except in Apr, May, and Oct	Reverse flow would not occur	Reverse flow would not occur	Reverse flow would not occur	Reverse flow would not occur	Reverse flow would not occur	n/a	n/a	Reduced, except in Apr, May, and Oct	Reduced, except in Apr, May, and Oct	Reduced, except in Apr, May, and Oct	Reduced, except in Apr, May, and Oct							
	Compared to EC	n/a	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	n/a	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May	Reduced, except in Apr, May							
		n/a	UTS/NA	ND/ND	ND/ND	ND/ND	ND/ND	ND/ND	ND/ND	ND/ND	ND/ND	ND/ND	ND/ND	UTS/ND	UTS/ND	UTS/ND	UTS/ND	n/a	UTS/NA	ND/ND	ND/ND	ND/ND	ND/NA							

Level of significance or effect before mitigation
(Quantity of impact: number of sites, structures, acres, etc. affected)

<

Key

Level of significance or effect before mitigation
(Quantity of impact: number of sites, structures, acres, etc. affected)



n/a not applicable
> greater than
< less than
≈ about equal to

Level of significance or effect after mitigation
(CEQA Finding / NEPA Finding)

CEQA Finding
NI No Impact
LTS Less than significant
S Significant
SU Significant and unavoidable

NEPA Finding
B Beneficial
NE No Effect
NA Not Adverse
A Adverse

Key

Level of significance or effect before mitigation
(Quantity of impact: number of sites, structures, acres, etc. affected)

Level of significance or effect after mitigation
(CEQA Finding / NEPA Finding)

Comparison of Impact:



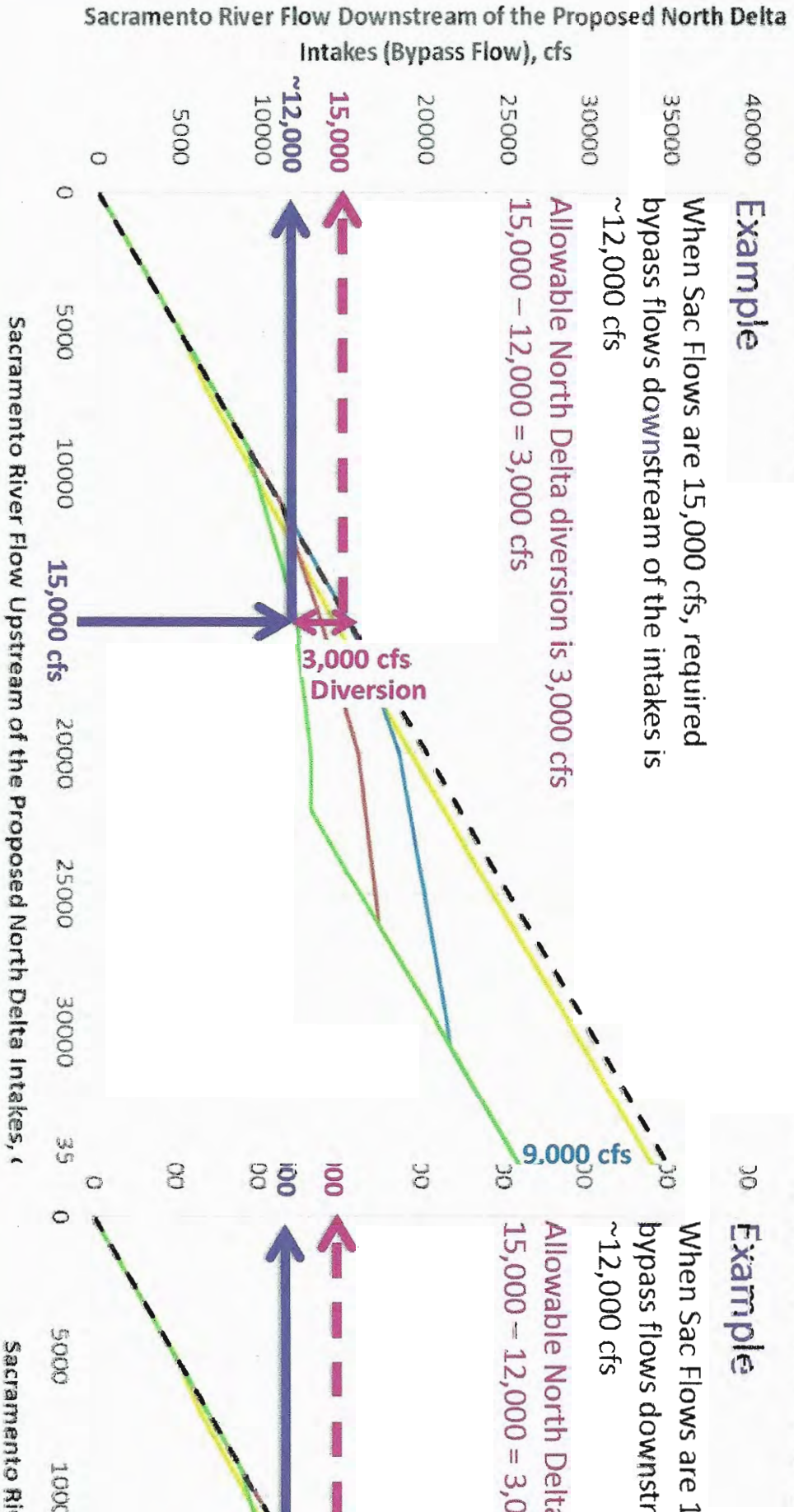
SACRAMENTO RIVER PROPOSED DEC- APR NDD BYPASS FLOW RULE

Constant Low Level Pumping Level 1 Level 2 Level 3 -- No Constant Low Level Pumping

Example

When Sac Flows are 15,000 cfs, required bypass flows downstream of the intakes is ~12,000 cfs

Allowable North Delta diversion is 3,000 cfs
 $15,000 - 12,000 = 3,000$ cfs



*Model results are used for comparative purposes and not for predictive purposes

comparative purposes and not for predictive purposes

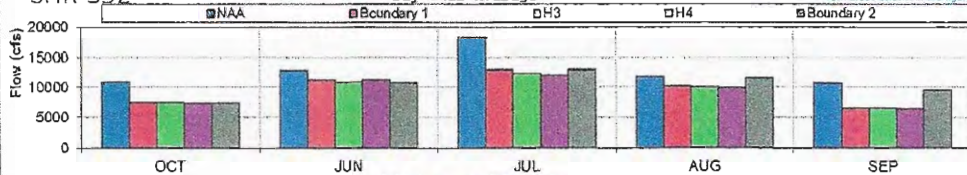
Dry Year Average (Sac Valley 40-30-30 Index) Current Climate

The information provided represents the monthly average flows at the locations you requested. The actual flows reflecting the effects of natural tides could be significantly different from those shown in the figures.

SHR-352

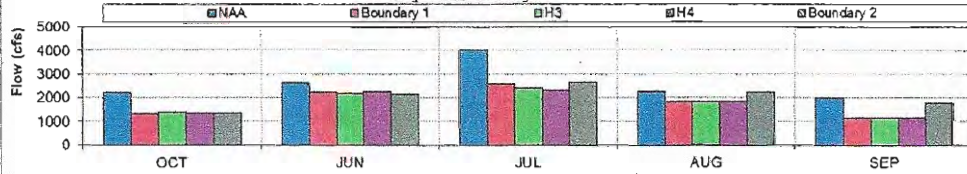
Sacramento River upstream Sutter and Steamboat (d/s of NDD)

Dry Year Average



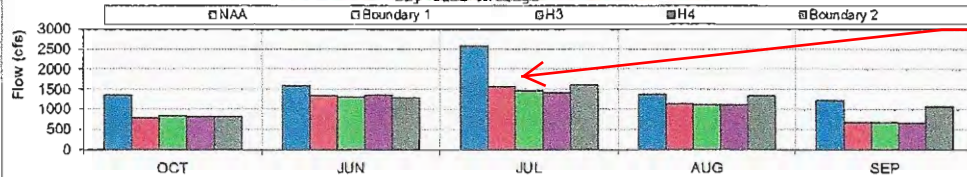
Sutter Slough at Head

Dry Year Average



Steamboat Slough upstream of Sutter Confluence

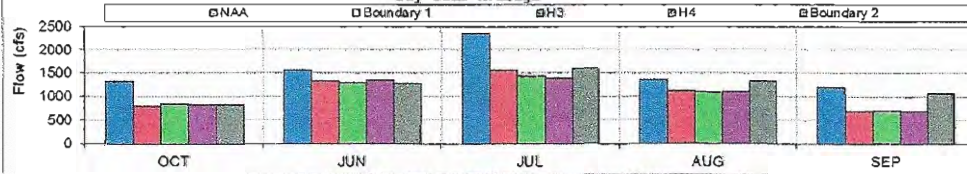
Dry Year Average



40% flow reduction with CWF

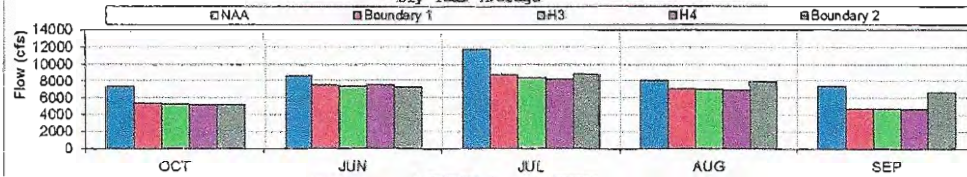
Miner Slough

Dry Year Average



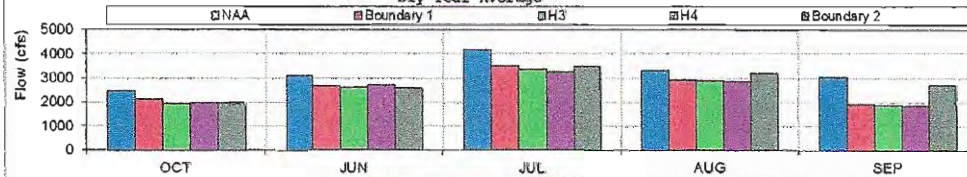
Sacramento River upstream of DCC

Dry Year Average



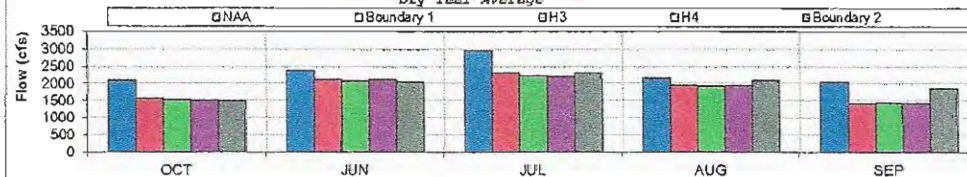
Delta Cross Channel

Dry Year Average



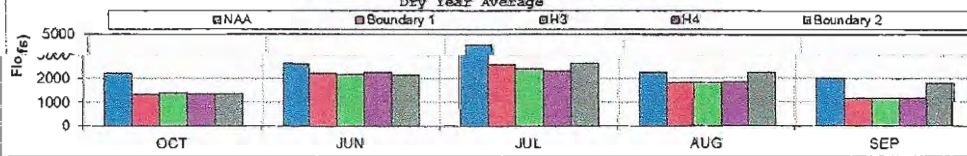
Georgiana Slough

Dry Year Average



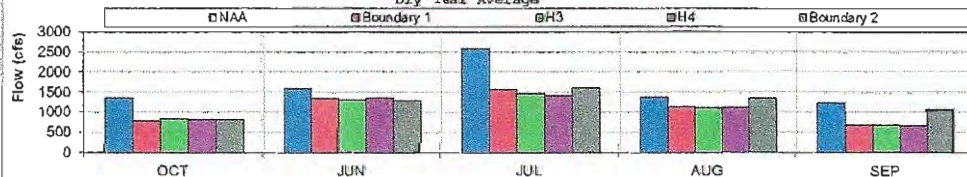
Sacramento River downstream of Georgiana Slough

Dry Year Average



Steamboat Slough upstream of Sutter Confluence

Dry Year Average



Miner Slough

Dry Year Average



ATT 3

Attachment

3

Att 4

Attachment
4

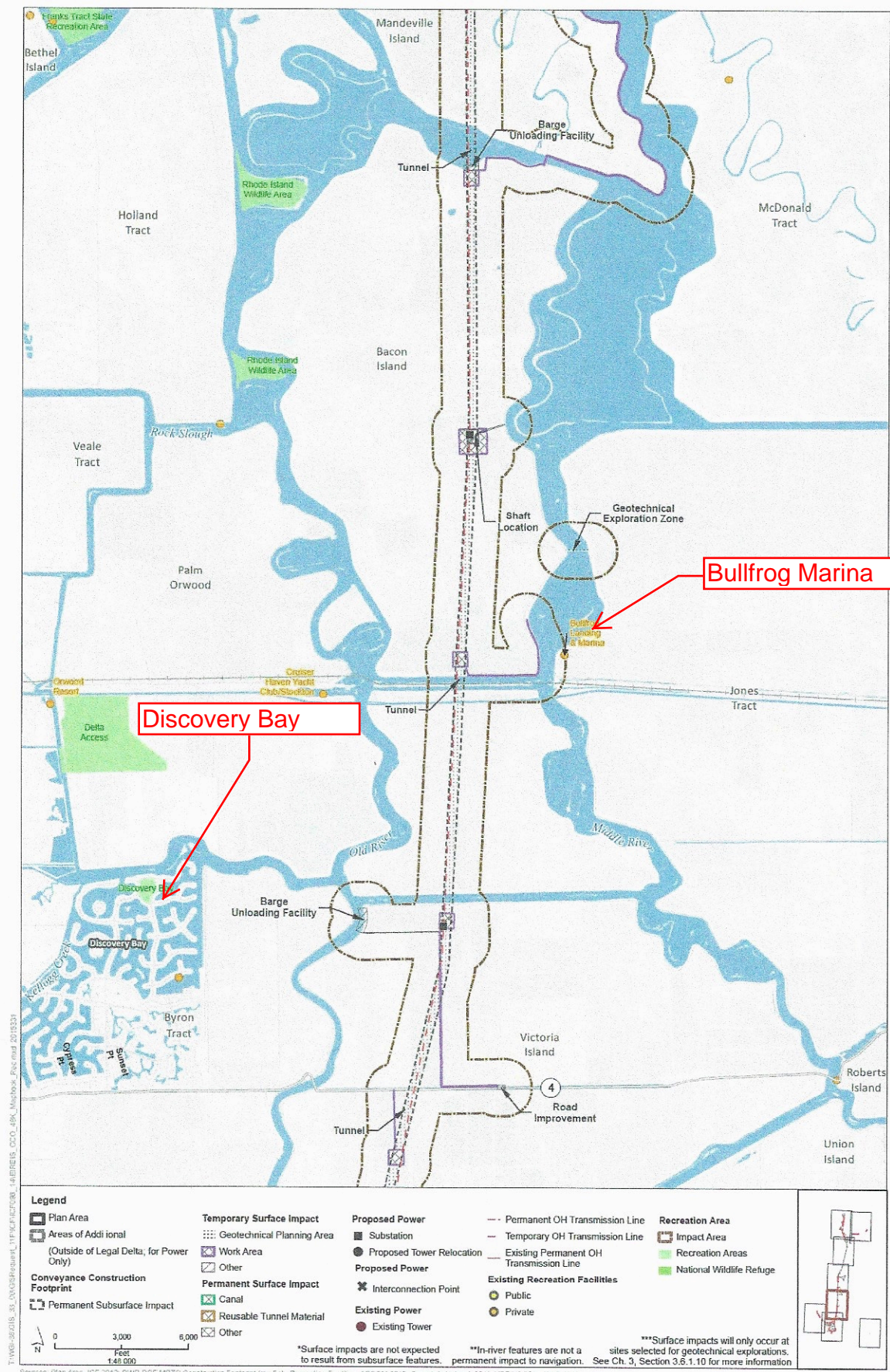


Figure M15-4: Sheet 5 of 8
Recreation Facilities — Modified Pipeline/Tunnel Alignment (Alternative 4)



Snug Harbor on Steamboat Slough

Docks and launch ramp will become unusable with flows on Steamboat Slough reduced from 2500 cfs to 1500 cfs under operation scenario H3.



Snug Harbor on Steamboat Slough



Discovery Bay in the heart of the Delta

Intrusion of salt water due to reduced freshwater flows and increased nutrient loading due to increase in San Joaquin River water and decrease in Sacramento River water will render the bays of Discovery Bay unusable for recreation. Loss of recreation in these bays is a devastating blow to our Delta way of life.

DSM2 fingerprint analysis shows higher percentage of San Joaquin source water under CWF. Higher nutrient loads in San Joaquin water cause increased algal and invasive weed growth.



East Contra Costa Irrigation
DWR has entered into contr
Irrigation District to supply th
water (via CCWD) because
and water quality degradatio
CWF will make water unusa
irrigation .But what about th
live in Discovery Bay?

Attachment 7

ATT 7

P.O. Box 888
Walnut Grove, CA 95690

LMA

LOCKE MANAGEMENT ASSOCIATION

*A non-profit organization benefiting the
last rural Chinese town in the United States, the Town of Locke*

2017
Locke Management Association
Board of Directors

January 29, 2017

Chair
Russell Ooms

Vice Chair
Brock Alexander

Treasurer
James Motlow

Secretary
Deborah Mendel

Board Members

Jay Correia
Dustin Marr
Darrel Woo

lockelma@gmail.com

Brooke Rachel White
California Water Fix Program Manager
Bureau of Reclamation
Bay Delta Office
801 I Street, Suite 140
Sacramento, CA, 95814-2536

Re: Undisclosed Adverse Environmental Impacts to the Locke
Historic District / Request for extension of NEPA/CEQA
comment period.

Dear Ms. White:

I am writing to point out serious flaws in the Final Environmental Impact Report / Final Environmental Impact Statement ("FEIR/S") for the California WaterFix Project ("CWF").

The Town of Locke is entirely within a the Locke National Historic District, listed on the National Register of Historic Places. According to the National Park Service, Locke is the "largest, most complete example of a rural, agricultural Chinese American community in the United States."

We are very concerned that the impacts of the CWF on Locke and its Chinese American community members and heritage are being ignored by the state and federal agencies pursuing the CWF project. According to the United States Environmental Protection Agency, Environmental Justice is:

the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

(<https://www.epa.gov/environmentaljustice>.) That is all we ask: that we be given the opportunity to be involved and treated fairly.

In order for that to be true, we need both the CEQA and NEPA comment periods to remain open. As of now, the comment periods close on January 30, 2017. That does not give us the opportunity to review the massive FEIR/S, which is the largest document I have ever seen in my life. It does not give us the opportunity to formulate precise, detailed comments to show you how you are missing the impacts of CWF on our community; it does not give us the opportunity to suggest ways that these impacts can be avoided. As a first step,

please issue a formal extension of the comment period for all purposes for CEQA and NEPA for 30 days, until March 1, 2017.

The Locke Management Association is a governmental unit of Sacramento County. We are charged with management of the town, including preserving its historic buildings and sense of identity. Yet we were never contacted by anyone from the government about the impacts of the CWF on our historic community. Not the Department of Water Resources; not the Bureau of Reclamation; not the Army Corps of Engineers; not the State Office of Historic Preservation.

About a week ago, we were asked by others involved in the CWF project hearings if we were participating in the Army Corps of Engineers historic preservation process for CWF. Up until that time we did not know about it. After we found out the Army was working on historic preservation, we contacted the Army and they did respond with a willingness to meet with us. We expect to meet with them within a few days. But the comment period will be closed by then. We don't understand why we would not have been involved in the historic preservation issues at the very beginning of this process and given the opportunity to be fully informed before the comment period on the FEIR/S closed. It seems odd. You can't make a decision to build the project in its current configurations and then say you will just develop a plan that avoids impacts to historic and cultural values. What if you need to have one intake instead of three to avoid destroying Locke's historic value? What if you need to move the intakes some miles away? These things need to be considered.

CWF will forever change the historic Northern Delta landscape and waterscape. This area of the Delta is the most scenic and the most historic and culturally significant part of the entire Delta. It is as if the project planners sought out the area that would be most negatively impacted by placement of tunnel infrastructure and then decided to make that ground zero for tunnel construction. For example, if the intakes for the tunnels were placed in the Yolo Bypass, which carries millions of acre feet of surplus flood water out to sea, there would be no historic or cultural impact because the bypass is flooded every season anyway and there are no structures or communities there. Putting the intakes in the Yolo Bypass probably also makes better ecological sense because that is where the *surplus* water is. But my concern is the impact on my community and its heritage. I am just using the Yolo Bypass as an example of something that could be considered to avoid all the historic and cultural impacts.

The FEIR/S says that there is no impact from Alternative 4A on Locke and that there would only be impacts if Alternative 9 were selected. I disagree.

Clarksburg, Hood, Walnut Grove, and Locke are all set in the historic landscape that is pretty much as it was when Locke was built in the early twentieth century. Our cultural institutions and gathering places haven't changed much since then either. The FEIR/S discloses that "construction activities associated with water conveyance facilities would be anticipated to result in changes to the rural qualities of these communities [legacy communities of Clarksburg, Hood, and Walnut Grove] during the construction period" and could "also result in changes to community cohesion if they were to restrict mobility, reduce opportunities for maintaining face-to-face relationships, or disrupt the functions of community organizations or community gather places Under Alternative 4A, several gathering places that lie in the vicinity of construction areas could be indirectly affected by noise and traffic associated with construction activities." FEIR/S 16-279. The area of the construction sites for intakes 2, 3, and 5, as well as the intermediate forebay and the muck piles (where the tunnel muck will be dumped) are much larger than the area of our communities. The construction activities will be ongoing for a decade or more and thousands of construction workers will flood the area.

In my opinion, the entire character and community cohesion of these delicate places will be lost forever. Towns will be abandoned. We cannot survive the current plan. We want the opportunity to suggest detailed alternatives and describe in detail the many points you have missed in your environmental review.

Please extend the comment period for both CEQA and NEPA for at least 30 days to March 1, 2017, as a first step in setting things right.

Sincerely,

A handwritten signature in cursive script that reads "Russell James Ooms". The signature is written in dark ink and is positioned above the printed name and title.

Russell James Ooms
Chairman